UNITED STATES PATENT AND TRADEMARK OFFICE

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10/620,964	07/15/2003	Craig D. Cuttner	12510/50	9701

26646 7590 09/27/2007	**EXAMINER**	
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _20 June 2007_.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-19 and 40-62_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-19 and 40-62_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Applicants' Appeal Brief submitted June 20, 2007 was received. Examiner withdraws the finality

of the previous office action and provides Applicants with new grounds of rejection.

Claim Rejections - 35 USC § 103

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966),

that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-19 and 40-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato

(USPN 5844918) in view of Applicants Admitted Prior Art (AAPA) further in view of

Williams (USPN 7243291).

As per claim 1, Kato substantially teaches (abstract and Figure 4) a data transmission and

reception apparatus wherein an error correcting code including of basic data and a BCH-based

parity code appended to thereto is divided into smaller packets. The Examiner would like to

point out that basic data as taught by Kato is shown in Figure 5 to comprise of multiple packets,

which is analogous to a data package with at least two data elements. Kato teaches that an error

detecting code (analogous to code point values) is appended to each of the thus-divided packets,

so that transmission basic data is formed. When the transmission basic data is received, the basic

data and a BCH-based parity code are derived from the transmission basic data. Error correcting

is carried out with respect to the overall transmission basic data. An error detecting operation is

carried out with respect to each packet using the error detecting code. If a packet is found to

contain errors, a request for retransmission of that packet will be sent to the sending side. Kato

teaches (Figure 4) in the data receiver B, the following operations are carried out, as shown in

FIG. 6 and FIGS. 7a to 7d. To begin with, the transmit/receive circuit 28 receives the

transmission data packet. The thus-received transmission data packet has such a configuration as

shown in FIG. 7a. After all of the transmission data packets including the BCH code have been

received, the error correcting circuit 30 corrects errors in the basic data using the BCH code (in

S21 and S22 in FIG. 6). In short, the error correcting circuit 30 derives the basic data BD and

the BCH-based parity code BCHD which acts as an error correcting parity code, from the

received data packet. Then, errors in the basic data are corrected using the BCH code, as shown

in FIGS. 7b and 7c. The BCH code includes the basic data BD and the BCH-based parity code

BCHD. More specifically, all the three data packets rather than each data packet, as a whole, are

subjected to the error correcting operation. As a matter of course, the CRC codes of the received

data packets are separately maintained. There may be a case where errors arising in transmission

can be corrected by the error correcting operation.

Kato does not explicitly teach to separately receive the code point values corresponding

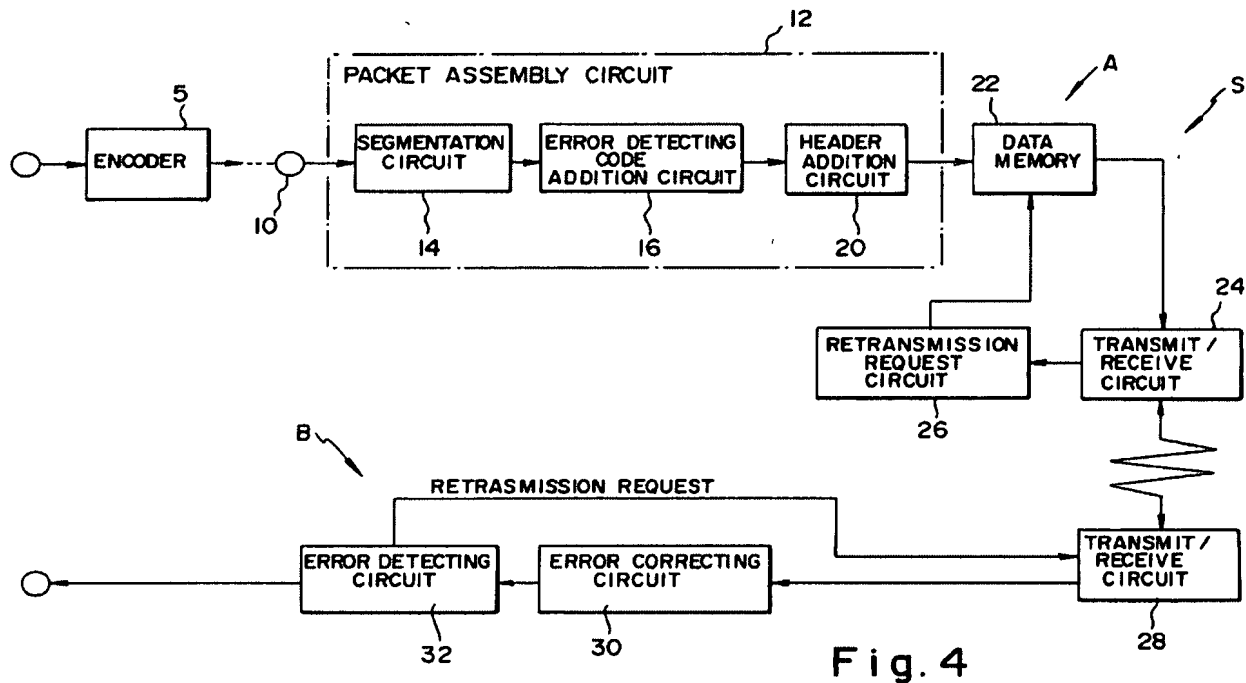to the data package as stated in the present application.

Fig. 4

However Williams teaches (abstract), in an analogous art, a method for communicating video data is provided that includes generating a plurality of error correction code bits and positioning the error correction code bits in a stream of image data such that the stream of image data is encoded. The stream of image data may then be received and encoded in order to convert the stream of image data into a digital visual interface (DVI) format. The stream of image data may then be decoded such that the stream of image data may be displayed in the DVI format. The stream of image data may then be received and checked for one or more errors using the error correction code bits. Particularly, Williams teaches (i.e., Figure 3) to transmit data bits and check bits on separate channels. The Examiner would like to point out that the reception of the data bits and check bits is also performed on different channels.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify the data transmission method of Kato by transmitting the data and the code

point values/ error detection code separately. This modification would have been obvious to one

of ordinary skill in the art at the time the invention was made because one of ordinary skill

would have recognized that transmitting data and corresponding code point values separately

would have increased synchronization capabilities (i.e., Williams, col. 2).

As per claim 2, Kato substantially teaches, in view of above rejection, (abstract) that if a

packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side.

As per claim 3, Kato substantially teaches, in view of above rejections, (abstract) that if a

packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that once a request for retransmission is

made then that packet for which the request is made for is no longer used and hence discarded.

As per claim 4, Kato substantially teaches, in view of above rejections, (abstract) that if a

packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. Requesting for retransmission of the invalid packet is a corrective action.

As per claim 5, Kato substantially teaches, in view of above rejections, (abstract) that if a

packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side.

As per claim 6, Kato substantially teaches, in view of above rejections, (abstract) that if a

packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that once a request for retransmission is made then that packet for which the request is made for is no longer used and hence discarded.

As per claim 7, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that a request for retransmission is made when the characteristic of the particular data element is not useful or when an error has occurred.

As per claim 8, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that it would have been an obvious engineer design choice to have a watermark embedded in the digital packet and use that to determine in the received packet is valid or not. It is well known in the art for computer files, for example, to have digital watermarks in them as patterns of bits, which appear to be a part of the file and are not noticeable to the user and can be used to detect unauthorized copies.

As per claim 9, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that a request for retransmission is made when the characteristic of the particular data element is not useful or when an error has occurred and is not correctable.

As per claim 10, Kato substantially teaches, in view of above rejections, (Figures 4 and 5) shows data to transmitted in packets associated with error detection/correction data. The data and error detection/correction is shown to be transmitted from the transmitter to the receiver, which is first network component to second network component.

As per claim 11, Kato substantially teaches, in view of above rejections, (Figures 4 and 5)

shows data to transmitted in packets associated with error detection/correction data. The data and

error detection/correction is shown to be transmitted from the transmitter to the receiver, which

is first network component to second network component.

As per claim 12, Kato substantially teaches, in view of above rejections, (abstract and

Figure 4) a data transmission and reception apparatus wherein an error correcting code including

of basic data and a BCH-based parity code appended to thereto is divided into smaller packets.

The Examiner would like to point out that basic data as taught by Kato is shown in Figure 5 to

comprise of multiple packets, which is analogous to a data package with at least two data

elements. Kato teaches that an error detecting code (analogous to code point values) is appended

to each of the thus-divided packets, so that transmission basic data is formed. When the

transmission basic data is received, the basic data and a BCH-based parity code are derived from

the transmission basic data. Error correcting is carried out with respect to the overall

transmission basic data. An error detecting operation is carried out with respect to each packet

using the error detecting code. If a packet is found to contain errors, a request for retransmission

of that packet will be sent to the sending side. Kato teaches (Figure 4) in the data receiver B, the

following operations are carried out, as shown in FIG. 6 and FIGS. 7a to 7d. To begin with, the

transmit/receive circuit 28 receives the transmission data packet. The thus-received transmission

data packet has such a configuration as shown in FIG. 7a. After all of the transmission data

packets including the BCH code have been received, the error correcting circuit 30 corrects

errors in the basic data using the BCH code (in S21 and S22 in FIG. 6). In short, the error

correcting circuit 30 derives the basic data BD and the BCH-based parity code BCHD which acts

as an error correcting parity code, from the received data packet. Then, errors in the basic data

are corrected using the BCH code, as shown in FIGS. 7b and 7c. The BCH code includes the

basic data BD and the BCH-based parity code BCHD. More specifically, all the three data

packets rather than each data packet, as a whole, are subjected to the error correcting operation.

As a matter of course, the CRC codes of the received data packets are separately maintained.

There may be a case where errors arising in transmission can be corrected by the error correcting

operation.

      Kato does not explicitly teach to receive the code point values corresponding to the data

package from a second network component as stated in the present application.

      However Williams teaches (abstract), in an analogous art, a method for communicating

video data is provided that includes generating a plurality of error correction code bits and

positioning the error correction code bits in a stream of image data such that the stream of

image data is encoded. The stream of image data may then be received and encoded in order to

convert the stream of image data into a digital visual interface (DVI) format. The stream of

image data may then be decoded such that the stream of image data may be displayed in the

DVI format. The stream of image data may then be received and checked for one or more

errors using the error correction code bits. Particularly, Williams teaches (i.e., Figure 3) to

transmit data bits and check bits on separate channels. The Examiner would like to point out

that the reception of the data bits and check bits is also performed on different channels.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify the data transmission method of Kato by transmitting the data and the code

point values/ error detection code separately. This modification would have been obvious to one

of ordinary skill in the art at the time the invention was made because one of ordinary skill would have recognized that transmitting data and corresponding code point values separately would have increased synchronization capabilities (i.e., Williams, col. 2).

As per claim 13, AAPA substantially teaches, in view of above rejections, (figure 1) the first network component to a be a set top box. The Examiner would like to point out that this is just an example of a transmitter, which—by the way—can be named anything so along as digital data is transmitted.

As per claim 14, Kato substantially teaches, in view of above rejections, (Figures 4 and 5) shows data to transmitted in packets associated with error detection/correction data. The data and error detection/correction is shown to be transmitted from the transmitter to the receiver, wherein at the receiver is the error detection/correction which has to monitor the incoming data and log it accordingly to maintain accuracy of the data packets that need retransmission.

As per claim 15, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. Requesting for retransmission of the invalid packet is a corrective action.

As per claim 16, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. Requesting for retransmission of the invalid packet is a corrective action and the invalid packet is not used.

As per claim 17, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side.

As per claim 18, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that a request for retransmission is made

when the characteristic of the particular data element is not useful or when an error has occurred.

As per claim 19, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that a request for retransmission is made

when the characteristic of the particular data element is not useful or when an error has occurred

and is not correctable.

As per claim 40, Kato substantially teaches, in view of above rejection, (abstract and

Figure 4) a data transmission and reception apparatus wherein an error correcting code including

of basic data and a BCH-based parity code appended to thereto is divided into smaller packets.

The Examiner would like to point out that basic data as taught by Kato is shown in Figure 5 to

comprise of multiple packets, which is analogous to a data package with at least two data

elements. Kato teaches that an error detecting code (analogous to code point values) is appended

to each of the thus-divided packets, so that transmission basic data is formed. When the

transmission basic data is received, the basic data and a BCH-based parity code are derived from

the transmission basic data. Error correcting is carried out with respect to the overall

transmission basic data. An error detecting operation is carried out with respect to each packet

using the error detecting code. If a packet is found to contain errors, a request for retransmission

of that packet will be sent to the sending side. The Examiner would like to point out that digital

data transmission and reception is not possible without computer implementation and therefore

inherently, Kato's system has to have computer and computer-readable medium, i.e. software to actually perform transmission. Kato teaches (Figure 4) in the data receiver B, the following operations are carried out, as shown in FIG. 6 and FIGS. 7a to 7d. To begin with, the transmit/receive circuit 28 receives the transmission data packet. The thus-received transmission data packet has such a configuration as shown in FIG. 7a. After all of the transmission data packets including the BCH code have been received, the error correcting circuit 30 corrects errors in the basic data using the BCH code (in S21 and S22 in FIG. 6). In short, the error correcting circuit 30 derives the basic data BD and the BCH-based parity code BCHD which acts as an error correcting parity code, from the received data packet. Then, errors in the basic data are corrected using the BCH code, as shown in FIGS. 7b and 7c. The BCH code includes the basic data BD and the BCH-based parity code BCHD. More specifically, all the three data packets rather than each data packet, as a whole, are subjected to the error correcting operation. As a matter of course, the CRC codes of the received data packets are separately maintained. There may be a case where errors arising in transmission can be corrected by the error correcting operation. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data transmission method of Kato by transmitting the data and the code point values/ error detection code separately. This modification would have been obvious to one of ordinary skill in the art at the time the invention was made because one of ordinary skill would have recognized that transmitting data and corresponding code point values separately would have increased synchronization capabilities.

Kato does not explicitly teach to separately receive the code point values corresponding to the data package as stated in the present application.

However Williams teaches (abstract), in an analogous art, a method for communicating

video data is provided that includes generating a plurality of error correction code bits and

positioning the error correction code bits in a stream of image data such that the stream of

image data is encoded. The stream of image data may then be received and encoded in order to

convert the stream of image data into a digital visual interface (DVI) format. The stream of

image data may then be decoded such that the stream of image data may be displayed in the

DVI format. The stream of image data may then be received and checked for one or more

errors using the error correction code bits. Particularly, Williams teaches (i.e., Figure 3) to

transmit data bits and check bits on separate channels. The Examiner would like to point out

that the reception of the data bits and check bits is also performed on different channels.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify the data transmission method of Kato by transmitting the data and the code

point values/ error detection code separately. This modification would have been obvious to one

of ordinary skill in the art at the time the invention was made because one of ordinary skill

would have recognized that transmitting data and corresponding code point values separately

would have increased synchronization capabilities (i.e., Williams, col. 2).

As per claim 41, Kato substantially teaches, in view of above rejection, (abstract) that if a

packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side.

As per claim 42, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that once a request for retransmission is

made then that packet for which the request is made for is no longer used and hence discarded.

As per claim 43, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. Requesting for retransmission of the invalid packet is a corrective action.

As per claim 44, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side.

As per claim 45, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that once a request for retransmission is

made then that packet for which the request is made for is no longer used and hence discarded.

As per claim 46, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that a request for retransmission is made

when the characteristic of the particular data element is not useful or when an error has occurred.

As per claim 47, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that it would have been an obvious engineer

design choice to have a watermark embedded in the digital packet and use that to determine in

the received packet is valid or not. It is well known in the art for computer files, for example, to

have digital watermarks in them as patterns of bits, which appear to be a part of the file and are

not noticeable to the user and can be used to detect unauthorized copies.

As per claim 48, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. The Examiner would like to point out that a request for retransmission is made

when the characteristic of the particular data element is not useful or when an error has occurred

and is not correctable.

As per claim 49, Kato substantially teaches, 1in view of above rejections, (Figures 4 and

5) shows data to transmitted in packets associated with error detection/correction data. The data

and error detection/correction is shown to be transmitted from the transmitter to the receiver,

which is first network component to second network component.

As per claim 50, Kato substantially teaches, in view of above rejections, (Figures 4 and 5)

shows data to transmitted in packets associated with error detection/correction data. The data and

error detection/correction is shown to be transmitted from the transmitter to the receiver, which

is first network component to second network component.

As per claim 51, Kato substantially teaches, in view of above rejections, (abstract and

Figure 4) a data transmission and reception apparatus wherein an error correcting code including

of basic data and a BCH-based parity code appended to thereto is divided into smaller packets.

The Examiner would like to point out that basic data as taught by Kato is shown in Figure 5 to

comprise of multiple packets, which is analogous to a data package with at least two data

elements. Kato teaches that an error detecting code (analogous to code point values) is appended

to each of the thus-divided packets, so that transmission basic data is formed. When the

transmission basic data is received, the basic data and a BCH-based parity code are derived from

the transmission basic data. Error correcting is carried out with respect to the overall

transmission basic data. An error detecting operation is carried out with respect to each packet

using the error detecting code. If a packet is found to contain errors, a request for retransmission

of that packet will be sent to the sending side. The Examiner would like to point out that digital

data transmission and reception is not possible without computer implementation and therefore

inherently, Kato's system has to have computer and computer-readable medium, i.e. software to

actually perform transmission.

Kato does not explicitly teach to receive the code point values corresponding to the data

package from a second network component as stated in the present application.

However Williams teaches (abstract), in an analogous art, a method for communicating

video data is provided that includes generating a plurality of error correction code bits and

positioning the error correction code bits in a stream of image data such that the stream of

image data is encoded. The stream of image data may then be received and encoded in order to

convert the stream of image data into a digital visual interface (DVI) format. The stream of

image data may then be decoded such that the stream of image data may be displayed in the

DVI format. The stream of image data may then be received and checked for one or more

errors using the error correction code bits. Particularly, Williams teaches (i.e., Figure 3) to

transmit data bits and check bits on separate channels. The Examiner would like to point out

that the reception of the data bits and check bits is also performed on different channels.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify the data transmission method of Kato by transmitting the data and the code

point values/ error detection code separately. This modification would have been obvious to one

of ordinary skill in the art at the time the invention was made because one of ordinary skill

would have recognized that transmitting data and corresponding code point values separately

would have increased synchronization capabilities (i.e., Williams, col. 2).

As per claim 52, AAPA substantially teaches, in view of above rejections, (figure 1) the

first network component to a be a set top box. The Examiner would like to point out that this is

just an example of a transmitter, which—by the way—can be named anything so along as digital

data is transmitted.

As per claim 53, Kato substantially teaches, in view of above rejections, (Figures 4 and 5)

shows data to transmitted in packets associated with error detection/correction data. The data and

error detection/correction is shown to be transmitted from the transmitter to the receiver, wherein

at the receiver is the error detection/correction which has to monitor the incoming data and log it

accordingly to maintain accuracy of the data packets that need retransmission.

As per claim 54, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. Requesting for retransmission of the invalid packet is a corrective action.

As per claim 55, Kato substantially teaches, in view of above rejections, (abstract) that if

a packet is found to contain errors, a request for retransmission of that packet will be sent to the

sending side. Requesting for retransmission of the invalid packet is a corrective action and the

invalid packet is not used.

As per claim 56, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side.

As per claim 57, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that a request for retransmission is made when the characteristic of the particular data element is not useful or when an error has occurred.

As per claim 58, Kato substantially teaches, in view of above rejections, (abstract) that if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that a request for retransmission is made when the characteristic of the particular data element is not useful or when an error has occurred and is not correctable.

As per claim 59, Kato substantially teaches, 1in view of above rejections, (Figures 4 and 5) shows data to transmitted in packets associated with error detection/correction data. The data and error detection/correction is shown to be transmitted from the transmitter to the receiver, which is first network component to second network component.

As per claim 60, Kato substantially teaches, in view of above rejections, (Figure 5 and abstract) that code point values are successively received and if a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that once a request for retransmission is made then that packet for which the request is made for is no longer used and hence discarded.

As per claim 61, Kato substantially teaches, 1in view of above rejections, (Figures 4 and 5) shows data to transmitted in packets associated with error detection/correction data. The data and error detection/correction is shown to be transmitted from the transmitter to the receiver, which is first network component to second network component.

As per claim 62, Kato substantially teaches, in view of above rejections, (abstract and Figure 4) a data transmission and reception apparatus wherein an error correcting code including of basic data and a BCH-based parity code appended to thereto is divided into smaller packets. The Examiner would like to point out that basic data as taught by Kato is shown in Figure 5 to comprise of multiple packets, which is analogous to a data package with at least two data elements. Kato teaches that an error detecting code (analogous to code point values) is appended to each of the thus-divided packets, so that transmission basic data is formed. When the transmission basic data is received, the basic data and a BCH-based parity code are derived from the transmission basic data. Error correcting is carried out with respect to the overall transmission basic data. An error detecting operation is carried out with respect to each packet using the error detecting code. If a packet is found to contain errors, a request for retransmission of that packet will be sent to the sending side. The Examiner would like to point out that digital data transmission and reception is not possible without computer implementation and therefore inherently, Kato's system has to have computer and computer-readable medium, i.e. software to actually perform transmission.

Kato does not explicitly teach to receive the code point values corresponding to the data package from a second network component as stated in the present application.

However Williams teaches (abstract), in an analogous art, a method for communicating video data is provided that includes generating a plurality of error correction code bits and positioning the error correction code bits in a stream of image data such that the stream of image data is encoded. The stream of image data may then be received and encoded in order to convert the stream of image data into a digital visual interface (DVI) format. The stream of image data may then be decoded such that the stream of image data may be displayed in the DVI format. The stream of image data may then be received and checked for one or more errors using the error correction code bits. Particularly, Williams teaches (i.e., Figure 3) to transmit data bits and check bits on separate channels. The Examiner would like to point out that the reception of the data bits and check bits is also performed on different channels. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data transmission method of Kato by transmitting the data and the code point values/ error detection code separately. This modification would have been obvious to one of ordinary skill in the art at the time the invention was made because one of ordinary skill would have recognized that transmitting data and corresponding code point values separately would have increased synchronization capabilities (i.e., Williams, col. 2).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mujtaba K. Chaudry whose telephone number is 571-272-3817. The examiner can normally be reached on Mon-Fri 9-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on 571-272-6962.

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Art Unit 2112
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